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09/752,204	12/29/2000	Michael Ray Crabtree	YOR920000652US1	9101

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Please find below and/or attached an Office communication concerning this application or proceeding.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/752,204
Filing Date: December 29, 2000
Appellant(s): CRABTREE ET AL.

Kevin P. Radigan
For Appellant

EXAMINER'S ANSWER

MAILED
DEC 1 2 2005
GROUP 1700

This is in response to the appeal brief filed 7-6-05 appealing from the Office action

mailed 1-11-05

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,970,475	BARNES ET AL	10-1999
6,125,391	MELTZER et al	9-2000
6,560,581	FOX et al	5-2003
2003/0208433	HADDAD et al	11-2003
6,598,029	JOHNSON et al	7-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1,3-10,12-34,36-38,40-43,45-69,71-73,75-78 and 80-101 are rejected under 35 USC 103(a) as unpatentable over Barnes in view of Meltzer in view of Fox further in view of (Haddad et al or Johnson et al).

Barnes teaches a method for facilitating the exchange of goods/services (Abstract)(Fig 1)(Fig 2) utilizing the Internet(Fig 1)(Fig 6B) and incorporating suppliers and buyers(Fig 6B/106)(Fig 6A/84/78) incorporating a bank and a clearing

mechanism(Fig 6A/50/18) as well as an invoicing mechanisms(Fig 10)(Fig 11)(Fig

22)(Fig 23)(Fig 24) and approved suppliers(Fig 16) for a commodity(Fig 5/12).Barnes

further teaches payment, clearance and settlement over the internet(Fig

1/14/20/18/12/16) between a buyer and seller.

Barnes also teaches a procurement system(Fig 3/12) and a certificate

authority(Fig 3/54) as well as a supplier system(Fig 3/16) a clearing gateway(Fig 3/50)

as well as client registration(Fig 5/58) and shipment of goods(Fig 5/64) and a purchase

order(Fig 5/66). Barnes further teaches an event handler (Fig 6A/80) and a certificate

authority application (Fig 7/110) as well as making a purchase (Fig 11) and maintaining

suppliers(Fig 14) and a supplier payments maintenance system(Fig 22).

The certificate of authority in Barnes administers a security feature which

authenticates buyers and sellers and suppliers. This function is within the broad

recitation of subparagraph *iii* and *iv* as recited by applicant. The terms "strategic

relationship" and "business process" are encompassed within authentication process

per se. The certificate of authority in Barnes is considered a "trusted agent" .

Barnes does not specifically teach a bid network for commodities and currencies

and a trading structure architecture.

Meltzer teaches a transaction network consisting of multiple trading partners(Fig

1) operating on the internet (Fig 1/19) including a bid (Fig 2/220/207) and a trading

apparatus(Fig 3) incorporating commercial functions(Fig 3/305)as well as an attribute characterization and bid builder(Fig 7/700) and a database(Fig 7/706) and auction house bids(Fig 8/804) and warehouse bids for commodities(Fig 8/803) and currencies(Fig 818) and a GUI(Fig 9/900) to the user for the bidding process and publish bidding on the network (Fig 9/907) utilizing product identifiers from OEMs(Fig 8/820) and bidding by RFQs (Fig 8/813) including market maker mechanisms(Fig 11/1105) and an architecture consisting of market makers, marketplaces, businesses, services, transactions, products(Fig 16/1600/1601/1602 /1603/1604/1605/1606). Fox teaches a buy/sell model (Abstract) and a credential-binding server (Fig 22/364)(Fig 1/26/28)(Fig 2/26/28)(Fig 6)(Fig 7)(Fig 10/180/179)(Fig 17/310)(Fig 18/310) at a trusted credential authority (col 2 lines 25-34). Meltzer does not specifically teach a selected business function of managing at least one contract term. Fox also teaches performing a selected business function of managing at least one contract term associated with a transaction by the credential binding server (col 12, lines 25-43) as well as utilizing a network (col 2 lines 10-25). Fox further teaches generating/verifying a registration in the registration process (Fig 3/50/52/54/56/58/60) and a transaction process (Fig 6) consisting of verification (Fig 6/104) and encryption (Fig 6/110) and verifying the authenticity of the originator(Fig 7/122) through signature verification(Fig 7/120). Fox further teaches a commerce application (Fig 10/162) and encrypting and signing (Fig 12) and a merchant, acquirer, purchaser, and a binder (Fig 17/304/306/302/310) connected over a network (Fig 18/334/338) and purchaser application(Fig 19) and merchant application (Fig 20) and acquirer application (Fig 21) and a binder application (Fig 22).

It would have been obvious to one skilled in the art at the time of the invention to combine Barnes in view of Meltzer to teach part of the above. The motivation to combine is to teach a method for connecting business, customer's suppliers and trading partners together as enunciated by Meltzer (col 2 lines 32-34).

Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Barnes in view of Meltzer and further in view of Fox to teach the disclosure. The motivation to combine is to teach a hub to facilitate the exchange of commodities in an electronic commerce system that facilitates commercial interchange of documents in a large audience while preserving authenticity, integrity and security and privacy as enunciated by Fox (col 2 lines 10-14).

Barnes, Meltzer, and Fox do not explicitly disclose a public business trading hub for the public exchange of one or more commodities, wherein the buyer entity, seller entity, and public business trading hub are each separate and independently owned.

Haddad et al and Johnson et al both disclose a public business trading hub for the public exchange of one or more commodities, wherein the buyer entity, seller entity, and public business trading hub are each separate and independently owned [(para 0004 to Haddad) (col 4, lines 44-67; col 5, lines 1-8 to Johnson et al)].

It would have been obvious to one with ordinary skill in the art to include a public

business trading hub for the public exchange of one or more commodities, wherein the

buyer entity, seller entity, and public business trading hub are each separate and

independently owned because: Haddad teaches trading entity requirements (para 0004

to Haddad) , or Johnson et al teaches competition requirements for trading (col 4, lines

44-67; col 5, lines 1-8).

(10) Response to Argument

The recitation of "separate and independently owned" would have been obvious

to one with ordinary skill in the art because Haddad teaches trading entity requirements

(para 0004 to Haddad) , or Johnson et al teaches competition requirements for trading

(col 4, lines 44-67; col 5, lines 1-8).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

(12) Conclusion

For the above reasons, it is believed that the rejections should be sustained.
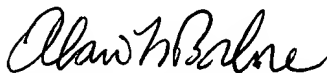
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